

EU - MONTENEGRO
STABILISATION AND ASSOCIATION AGREEMENT
III SUBCOMMITTEE MEETING FOR THE AREA – JUSTICE, FREEDOM AND SECURITY

Podgorica, 3-4 December 2012

Venue: Ministry of Foreign Affairs and European Integration, room no. 119
Bulevar Stanka Dragojevića 2

MINUTES

Monday, 3 December 2012

1. Opening of the session – Adoption of the Agenda

State Secretary for European Integration, Ambassador Aleksandar Andrija Pejović opened the third meeting of the Subcommittee for the area of Justice, Freedom and Security pointing out the importance of synergy between the stabilisation and association process and the negotiation process. He gave a short overview of the progress made since the last Subcommittee meeting, which represents a considerable success and clear willingness of Montenegro to accomplish concrete results in the European integration. He mentioned that the working groups for the negotiation chapters 23 and 24 readily waited for the publishing of screening reports for the mentioned chapters, while simultaneously preparing starting points for action plans for both chapters.

Representatives of the European Commission welcomed the progress achieved and pointed out that the Cypriot Presidency would soon establish final recommendations and submit the screening report to Montenegro, which would be the basis for preparation of Action Plans as the prerequisite for opening negotiations on chapters 23 and 24.

2. Reform of judiciary

Montenegrin representatives presented novelties in the area of the reform of judiciary, especially pointing out that the process of amending of the Constitution of Montenegro is still on-going and that it had been slowed down because of the constitution of the new Parliamentary Assembly of Montenegro. Apart from the report on the implementation of the Law on Courts, Law on Judicial Council and Law on Prosecution Office, the Montenegrin representatives also informed on forming of the new Judicial and Prosecutorial Council as well as of the accompanying commission and bodies. On the question of the EU representative regarding the election of four new judges, the Montenegrin representatives informed the election procedure would be completed until 15 December 2012. They also pointed out that significant progress was made with regard to reduction of backlog, according to the statistics which had already been submitted in written form. They mentioned that the Criminal Procedure Code was being applied since 1 September 2012 and that the Ministry of Justice would organize

a round table concerning the forthcoming amendments to the Code on 14 December 2012. They emphasized that special focus would be on the question if all the institutes of the CPC were applied appropriately. Since the application of the Law on Misdemeanours started on 1 September 2011, the Montenegrin representatives could not give precise statistics because of the change of competences in conducting misdemeanour procedures, but they also pointed out that good results had been marked in that area. As regards the Law on Security and Enforcement of Claims, a Montenegrin representative said that the procedure of employment of public bailiffs is fully defined by the Law and secondary legislation, and that on 6 and 7 December 2012 there would be a training for the candidates for public bailiffs with experts from the region and the EU, as well as that the nomination of bailiffs would start during the first quarter of 2013.

They also provided detailed information on the work of the Centre for Mediation, the implementation of the Law on Treatment of Minors in the Criminal Procedure and trainings carried out in that area for judges, prosecutors and the police, as well as on the formation of the special organisational unit for minors within the Institution for Enforcement of Criminal Sanctions. As regards the implementation of the Law on Notaries, they presented the results of supervision by the Ministry of Justice, pointing out that upon reports controls were carried out in five notary offices based on which two disciplinary procedures were initiated. They stated that complete analysis of the rationalisation of the court network would be completed by the end of the year and that all statistical data were collected, that the analysis showed that there had been reduction of the number of criminal cases and of the duration of investigations, but that there had also been a significant increase in the number of civil cases.

The EC representatives pointed out that it was necessary to finalise the process of amendment of the Constitution, especially in the part of eliminating political influence on the choice of judges, as well as that this issue should be one of the priorities of the new Parliament of Montenegro. In that context, they also pointed out that there should have been an exclusive solution that the Judicial Council brought the decision on all issues related to judges and prosecutors (allocation or other issues important for the work of judges). They specially emphasised the importance of publishing court decisions, pointing out that in this phase of the integration process there should be a quality in keeping statistics on court cases. They also emphasised the importance of functioning of free legal aid and the necessity of the existence of planned funds for the financing in this area.

EC representatives asked questions regarding the new system of employment of prosecutors, change of working place of judges and their transfer from one court to another, the manner of assignment of cases, as well as the implementation of the code of ethics and revision which was planned in that area.

Representatives of Montenegrin institutions explained in detail the manner of functioning and possibilities of working with PRIS, they pointed out that the lack of resources in the area of free legal aid had been recognized and that the Judicial Council planned resources for the following year based on the number of cases in present year and that the work in that area was

continuously getting improved. They mentioned with special emphasis that no request for free legal aid had been rejected on the grounds of the lack of resources.

Representatives of the EC said that they would send the form used for the Republic of Croatia in the part of free legal aid for the purpose of improvement of work regarding concrete issues in this area, while the representatives of the Montenegrin delegation would submit in written form the PRIS data related to average duration of civil procedures.

3. Judicial cooperation in criminal and civil matters

It was stated that the preparation of the Draft Law on Mutual Legal Assistance had been finalized following the bilateral screening, in cooperation with all relevant entities and that after the public debate and EC opinion the Draft would be issued by the Government as the Proposal and adopted by mid-2013. Montenegro presented the bilateral agreements signed thus far, as well as the plans for the following period, current statistics of active and passive extradition, requests for the transfer of convicted persons, which is a proof of good application of the signed bilateral agreements.

As regards the judicial cooperation in civil matters, it was mentioned that the cooperation was carried out based on a multilateral agreement – the Hague Convention on Civil Procedure- and that Montenegro had ratified two conventions which in a certain part replace certain provisions of the Hague Convention. After the restoration of independence, Montenegro also signed bilateral agreements on mutual legal assistance in civil matters with countries of the region. Montenegro is a member of the regional initiative related to the Lugano Convention which represents a good preparation for Montenegro's accession to that convention. Montenegro presented the statistics in this area as well.

The EC representatives welcomed the signing of bilateral agreements, especially between the countries of the region, and congratulated on the accession to important international agreements in this area. They asked for a written document with the list of all regional agreements and treaties signed by Montenegro, for the purpose of easier monitoring of progress made in this area. Special question was asked regarding the participation in trainings on judicial cooperation and cooperation with the EUROJUST, to which the Montenegrin representatives answered that there was still no systemically dedicated training programme for this area, but that it would be considered as a possibility for further work in cooperation with the Judicial Training Centre, that the cooperation with the EUROJUST was functioning in an appropriate manner, that positive answer was expected from EUROJUST, and that Montenegro fulfilled conditions and that it was ready to sign the agreement in order to intensify the cooperation. Furthermore it was emphasized that Montenegro had already appointed the contact point for the cooperation with that organization. Special mention was given to the activities relate to two new ratified conventions: Convention on Delivery of Court Documentation in Civil and Commercial Matters and the Convention on Taking Evidence Abroad in Civil and Commercial Matters.

4. Fundamental rights

The Montenegrin representatives informed on the past activities in the area of anti-discrimination, pointing out that the Government had launched a public campaign for the purpose of familiarising with and explaining the Law on Protection from Discrimination, as well as that there was a prepared training plan for judges and prosecutors, state and local servants, but also for the NGOs and independent institutions such as the Ombudsman. They also explained the functioning of the Council for Antidiscrimination chaired by the Prime Minister, which consists of five ministers and five NGO representatives. They mentioned that activities regarding the reform of child protection system were carried out and pointed out that the Proposal for the Law on Social and Child Protection had been adopted in July; that the Draft Plan of transformation of the Children Home “Mladost” in Bijela is completed and the Proposal for the Law on Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence had been adopted. They provided information on the implementation of the Strategy for protection from domestic violence and the project realised in cooperation with the UNDP through financial support from IPA funds, as well as on the activities and projects being realised in the area of gender equality. They presented the programmes of support for the minority communities and regional cooperation in that area, with special emphasis on the activities being realised for inclusion of Roma population into the Montenegrin society and formal educational programmes in Montenegro.

Representatives of the EC wanted to know if there were data on domestic violence, the manner of collection of those data, as well as if there was cooperation with the police regarding that issue. EC encouraged Montenegro to continue strengthening of the Council for the Rights of the Child, whereas regarding the rights of sexual minorities they expressed expectations that the new Government would also be dedicated to their promotion and protection and that the Prosecution Office and judiciary would also need to systematically carry out all activities for bringing indictments and verdicts for the related criminal offences. As regards the work at the Konik Camp, the EC noticed very positive efforts that Montenegro made in the process of recovery from the fire.

Representatives of the EC pointed out that there was enough space for the improvement of the content of the Law on Protection from Discrimination regarding the treatment of the private sector (definition of discrimination) for which the EC was ready to provide assistance especially in the part of alignment with the relevant Directive, to which a representative of the Montenegrin Delegation answered that they are already working on the analysis of alignment of the Law with the acquis.

Montenegro committed to submit a written proposal with correct data on the drop-out rate of Roma children included into the education system.

Montenegro provided an overview of the realised activities in the area of media policy which Montenegro carried out for the promotion and protection of the independence of media. Montenegrin representatives also presented activities undertaken regarding the trainings on media freedoms and transfer of the EU knowledge to Montenegro, and on conducting court procedures on cases of attacks on journalists, as well as the activities carried out regarding the

alignment of the Law on Secrecy of Data, Law on Free Access to Information and the Law on Protection of Personal Data with the acquis. As regards property rights, they gave an overview of activities. They also provided information on the participation of the civil society in the negotiation structures of Montenegro.

Representatives of the EC showed special interest for the cases of attacks on journalists, and as regards the situation of the Agency for Data Protection and of the Ombudsman (including employment), on which the Montenegrin delegation informed them.

5. Prevention of drug abuse, reduction of demand and supply

The Montenegrin representatives presented results of efforts in the prevention and sanctioning of drug abuse in Montenegro.

A representative of Montenegro pointed out that they are currently drafting a new strategic document for the reduction of drug abuse, whose adoption was expected in the first half of 2013 together with an action plan for its implementation. It was also mentioned that in the meantime they also adopted the Law on Prevention of Drug Abuse, and that new amendments to the Law were prepared after the bilateral screening as well as that their adoption was expected first in the Government, and then in the Parliament.

Representatives of the European Commission welcomed activities which are implemented in the fight against drugs, and they wanted to know whether a risk analysis on organised crime, including on the fight against drugs, was conducted in the territory of Montenegro, and whether the expert support from some of the EU Member States was used in preparation of the Draft Law on Amendments to the Law on Prevention of Drug Abuse.

As regards the risk analysis, it was stated that the first Organised Crime Threat Assessment (OCTA) was prepared in 2011, and that new OCTA is developed this year – more than 50% of its content is devoted exactly to prevention of drug abuse. As regards consultations with EU regarding amendments to the Draft Law on Amendments to the Law on Prevention of Drug Abuse, Montenegrin representative stated that EMCDDA were consulted and that legal solutions of the EU Member States were used as model.

Representatives of the EU Commission wanted to know whether all conditions for permitting a smooth work (especially regarding overtime work) were provided for the Department for Fight against Drugs and how many working posts are vacant within this department.

It was stated that job descriptions were provided for 57 posts, out of which 49 are occupied. The Montenegrin delegation stated that it is expected that remaining posts will be occupied in the forthcoming period. It was indicated that employees of the Department for Fight against Drugs have benefit in the form of 30% of extra wage remuneration (bonus), as well as reduced service years for retirement, which is more when compared with certain categories of employees in the Ministry of Interior. Furthermore, there is a possibility of additional reward for every employee after successfully implemented action.

EU representatives pointed out that payment for overtime work of employees must be fulfilled as a condition for motivation and maintenance of high work performance.

6. Anti - corruption policy

Data of the Prosecutor's Office from the segment of corruption were presented, and it was indicated that the average duration of investigation of this acts is 65 days, on which the EC was regularly reported. It was emphasised that the Prosecutor's Office conducts financial investigations on these acts and that so far decision on seizure of assets wasn't adopted. For ongoing procedures there is a possibility of adoption of decision on extended seizure of assets. Furthermore, it was stated that three financial investigations were conducted regarding money laundering, which is no longer corruptive criminal offence, and these investigations resulted in seizure of assets in the amount of more than EUR 40 million.

Representatives of the European Commission encouraged Montenegrin authorities to continue fight against corruption. They expressed their expectations that seizure of assets will occur as a result of current procedures in cases of corruption, that the Public Property Administration will adopt the plan for strengthening administrative capacities, and that more funds will be allocated for work of the Administration. They requested submission in English of two recently adopted bylaws from the segment of temporary and permanent seizure of assets.

It was stated that translated versions of both bylaws will be submitted, and that the need for strengthening administrative capacities of the Public Property Administration will be recognised in the forthcoming period, especially considering new competences according to recently adopted bylaws.

It was informed on amendments to the Rules of Procedure of the Parliament, which provides for the establishment of special Committee for Monitoring of Fight against Corruption, on legal acts which were adopted with the view to strengthening fight against corruption, as well as activities in the segment of strengthening of system of employees and protection of employees reporting corruption. Activities which are carried out under anti – corruption policy at the strategic level and under projects financed from IPA funds were presented as well.

Representatives of the European Commission were interested in plans for strengthening professional capacities of institutions in charge of fight against corruption, as well as administrative capacities of the Commission for Prevention of Conflict of Interest. Updated information were requested regarding strengthening mechanisms for check of financing of political parties and possible cases which could undergo the procedure against certain political parties, as well as information on status of fulfilment of provided recommendations. Particular interest was expressed regarding strengthening institutional framework for prevention of corruption, considering the analysis which was submitted to the Government of Montenegro by the Administration for Anti-Corruption Initiative.

It was stated that the Commission acts under its current capacities that it has preventive and to a certain extent corrective function and that it is dedicated to implementation of provided recommendations. Furthermore, it was stated that two databases are being created through the project financed from IPA fund: one base is centralisation of data of all relevant public institutions for easier detection of potential shortfalls in reporting of assets, and the second base will be created thanks to funds provided by USAID, in cooperation with NGO Centre for Monitoring and Research on the grounds of Memorandum on Cooperation. It was emphasised that, on the grounds of analysis, it was concluded that promotion of the existing institutional framework for prevention of corruption should be continued, and that new analysis will be developed at the end of 2013 regarding effects of the existing operations, and new conclusions will be adopted accordingly.

Representatives of the European Commission were interested in measures which are used for adherence to the Code of Ethics in relation to prevention of conflict of interest, and Montenegrin delegation stated that meetings with inter – ministerial institutions are held on regular basis regarding manner and mechanism for implementation of penalty provisions from Codes of Ethics, particularly emphasising the competences of the Commission for Monitoring of Implementation of Code of Ethics and possibilities which can be used by citizens to report potential acts of corruption.

Representative of the European Commission stated that presented actions in the segment of strengthening of normative and institutional framework should be linked with development of Action Plan for Chapter 23 and that in the recent future it should be ensured that results of mentioned activities contribute to reduction of corruption.

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7. Police cooperation, fight against organised crime

Recent activities were presented regarding the area of fight against organised crime, as well as improvement of organisational structure within the Police with the view to improving the fight against organised crime and police cooperation. Preparations conducted in view of signing the Operational Agreement with EUROPOL were particularly emphasised. Montenegrin representative pointed out activities taken at the level of development of Organised Crime Threat Assessment, so – called OCTA, under which there are registered organised criminal

groups operating in the territory of Montenegro, and that it was confirmed by subsequent analysis that [REDACTED] It was stated that preparations are ongoing regarding Serious and Organised Crime Threat Assessment – SOCTA, which will be published on 1 March 2013. Risk assessment is carried out in cooperation with the Federal Criminal Police of Austria, and it will represent the single document with focus on the work of police in fight against serious and organised crime in the next 4 years. He also provided data on organised trainings in these areas, along with statistical data which reflect the results of the work of Police in 2012.

Representatives of the European Commission were interested in dynamics of adoption of bylaws to the Law on Internal Affairs, when the classified version of OCTA will be available to the Special Prosecutor's Office; they also asked for clarifications regarding the definition of organised crime in the Criminal Code, especially in relation to the work of the Special Prosecutor's Office. Attention was also devoted to the recent visit of representatives of EUROPOL to Montenegro, and presentation of data was requested regarding activities taken to strengthening of capacities in the fight against organised crime, particularly in the area of cyber crime.

It was emphasised that the preparation of bylaws in accordance with the Law on Internal Affairs is ongoing. It was clarified that there is no legal mechanism which enables distribution of the classified version of OCTA, but the signing of the Memorandum on Cooperation was planned, which would enable the consultation of OCTA by the Special Prosecutor's Office. Montenegrin representative stressed that the classified version of OCTA has been translated and forwarded to EUROPOL via secured link upon their request. Organisational structure and manner of operation of the Police in the area of organised crime were presented, with special emphasis on cyber crime; it was also emphasised that development of a single act on internal organisation and job descriptions of the Ministry of Interior will start at the first quarter of 2013. Detailed information on visit of EUROPOL to Montenegro was presented as well; the visit was organised with the view to evaluate condition and providing the final assessment to initiate the procedure for signing of the Operational Agreement with that organisation. In accordance with definition of organised criminal group in the Criminal Code, it was stated that it is hard to prove the existence of such organisation under conditions prescribed by the Criminal Code, but the process of amending of the Criminal Code is ongoing and more detailed definition of this issue can be expected.

Representatives of the European Commission welcomed the work on amendments to the Criminal Code and they emphasised the importance of signing of the Memorandum of Understanding, which will provide the insight into OCTA of the Special Prosecutor's Office.

8. Fight against money laundering

It was stated that the Memorandum on Cooperation was signed in December 2011 between the Administration for Prevention of Money Laundering and Financing of Terrorism (APMLFT), the Ministry of Finance, the Central Bank of Montenegro, the Securities Commission and the Insurance Supervision Agency, and annual statistical data were presented, along with activities

to harmonize national legislation with the *acquis*; then activities related to implementation of recommendations from the report of MONEYVAL, on the grounds of which the initiative was lodged for amendments to the Criminal Code in order to fulfill recommendations from the above mentioned report. Activities of international cooperation were described, including those related to donor support (EU and Member States), all with the view to fulfilling recommendations and assessments from Progress Report, which referred to the need for strengthening of information system of the Administration. The adoption of guidelines related to unusual transactions was announced, as well as that of the strategy for development of the Administration for Prevention of Money Laundering and Financing of Terrorism for the forthcoming five year period, for the first quarter of 2013, when the adoption and signing of the Memorandum of Cooperation with the Police was planned, with the view to promoting cooperation and providing more efficient exchange of information between these two bodies. Establishment of the working group was planned for the next year; that group will work on preparation of the national risk assessment, the completion of which was planned for the end of 2013, and the expert support will be provided by the World Bank.

Representatives of the Commission referred to the need to amend definitions of money laundering in the Criminal Code, and they indicated the need for strengthening of information system of the Administration for Prevention of Money Laundering and Financing of Terrorism and projection of the part of financial needs in the Budget of Montenegro for that needs. At the same time, they indicated the need for strengthening of administrative capacities and inter-institutional cooperation, with special emphasis on the Memorandum of Cooperation, the signing of which is planned with the Police Administration.

It was indicated that definition of money laundering in the Criminal Code is completely harmonized with Palermo Convention and that it points to a criminal offence, while in the Law on Prevention of Money Laundering this definition is provided as phenomenon – form of behavior. Financial assessment of required funds and strategies for development of information system of the Administration for Prevention of Money Laundering and Financing of Terrorism was developed. Requests for financial support were submitted to EU Delegation and embassies so that they would support development of the software and complete IT system of the Administration, while the Strategy for Human Resources will be created under the Twinning Project, on the grounds of which the further steps will be proposed.

It was stated that the Memorandum of Cooperation between the Police Administration and the Administration for Prevention of Money Laundering and Financing of Terrorism is in the drafting phase, while the Agreement on Cooperation with the Administration for Prevention of Money Laundering and Financing of Terrorism from 2004 is currently valid. Activities are carried out periodically in compliance with that agreement, along with exchange of information. It was indicated that the Memorandum will likely resolve the issue of too strict deadline within which the Police Administration submits the feedback, even though it is hard to define precisely the deadline for submission of information, since investigations themselves can last longer.

9. Fight against trafficking in human beings

Activities taken thus far in the area of fight against trafficking in human beings were presented as well as actions taken in some of the crucial periods of the year, such as summer tourist season, in addition to international cooperation and training activities focused on proactive acting in detection of human trafficking victims. New shelter for human trafficking victims, financed by the Ministry of Interior's budget, became functional. The Government of Montenegro adopted the new Strategy for Fight against Trafficking in Human Beings, with an accompanying Action Plan, recognising the need for aligning national legislation and practises with the EU *acquis*.

EC representatives were interested in the track record in this area, since only one criminal charge has been recorded so far. For that purpose, this information was compared with the number of asylum seekers in Montenegro as well as with figures on irregular migration. EC underlined the need for strengthening the coordination process as regards identification of victims and correlation with the mentioned statistics. Regarding the number of officers dealing concretely with the fight against human trafficking, it was stated that written information with accurate data thereon would be subsequently submitted. EC recalled the GRETA's recommendations on the fight against trafficking in human beings, expressing the satisfaction that regular contact was maintained with GRETA representative during the process of drafting the Strategy, which resulted in the greatest part of recommendations being incorporated in it. EC was also interested in actions taken by the competent law enforcement bodies in larger cases (such as the case [REDACTED] and cooperation with the civil society).

As regards vulnerable groups, activities currently taken and those planned in the forthcoming period were presented, announcing that concrete results could be expected soon. It was stated that questionnaires, with clearly defined indicators, will be filled in with a view to detecting victims of human trafficking. At the same time, it was pointed out that continuous trainings have been organised for the purpose of training all employees, directly or indirectly involved in these issues, on the more efficient methods for detecting the victims of human trafficking. Montenegro underlined good cooperation with the civil society, including support provided to the civil society projects (SOS phone line), participation of civil society representatives in drafting strategic documents, and operation of the shelter for human trafficking victims financed by the state but managed by a non-governmental organisation.

10. Migration and asylum

Montenegrin representatives emphasised that the Ministry of Interior initiated the procedure for amending the Law on Foreigners in November 2011, thus extending the deadline for applications of displaced and internally displaced person to 31 December 2012. UNHCR submitted an initiative to the Ministry of Interior to extend the deadline to the end of 2013, and it will be duly considered. Montenegro informed on the activities that the Ministry of Interior had been taking within the Sarajevo Process, particularly as regards resolution of status of displaced and internally displaced persons. Updated data were presented on displaced and

internally displaced persons and migrations, emphasising that the greatest number of persons had not used their legal right to apply for the status of a foreigner with permanent residence although the deadline was extended few times (only 52-53% of the total number submitted their applications). Smaller percentage was not able to obtain documents from their countries of origin, whereas allegedly the majority of persons are either not interested in resolving their status or they abuse such situation and exercise their rights simultaneously in their countries of origin and in Montenegro. Montenegro pointed out the need for ensuring those rights to all interested persons, whereas those who are not interested should bear consequences according to the law (those DP/IDPs who are not interested to resolve their status would be considered as foreigners residing illegally). As regards readmission, it was stated that the Agreement on Readmission with the European Community and Its Member States and its implementing Protocol have been implemented according to the planned dynamics, just like in other countries.

EC representatives were interested whether there are mechanisms with partner and neighbouring countries (countries of origin) for obtaining data as well as in reasons for possible abuse of such status by displaced and internally displaced persons. EC was also concerned by the increased number of asylum seekers and encouraged Montenegro to put the Centre for Asylum Seekers and the Reception Centre for Foreigners into operation.

It was stated that the issue of abuse of status has been discussed under some regional initiatives and concrete solution should be proposed soon, particularly in terms of resolving property issues. As stated, legislation in this area has been aligned with the EU *acquis* to the greatest extent. The Centre for Asylum Seekers will become operational soon, In the meantime, the issue of accommodation is resolved only temporarily and additional capacities are obtained by renting private premises, due to the increased number of asylum seekers. Apart from the Centre for Asylum Seekers, the Reception Centre for Foreigners will also become operational soon and for that purpose a set of trainings has been organised with a view to managing the Reception Centre in a quality manner and acting in the area of irregular migrations. Implementing legislation, which will create high-quality legal basis for functioning of the Reception Centre, are under drafting procedure.

EC representatives asked for information on accommodation capacities in other parts of Montenegro, having in mind the distance between border crossing points and their location. Montenegrin representative reported that the Reception Centre for Foreigners has been designed and will be located in accordance with the regional approach to the problem and well-known routes of irregular migrants, as well as that construction of another similar building will be needed in the future, this time focusing the attention to juveniles/vulnerable groups.

For the purpose of getting full insight, EC representatives asked for detailed information on irregular migration.

11. Border management and visa policy, including post-visa liberalisation monitoring

EC representatives asked for information on the state of play in drafting the action plan and reconstruction of border crossing points.

It was stated that draft Strategy for Integrated Border Management 2013-2016, with draft 2013 Action Plan, was prepared in accordance with the Government's 2012 Work Programme. In addition to these documents, report on implementation of the former strategy in the period 2006-2012 was prepared as well. Inter-ministerial commission was involved in the process of preparing the mentioned documents. Information was also provided on activities taken as regards reconstruction of two border crossing points with Serbia – Dobrakovo and Dračenovac, and on plans for further work based on the current state. Functioning of the joint border crossing point Sukobin – Murićani was emphasised as an example of good practice and model for operation of other border crossing points.

Updated information on the border police activities on 28 border crossing points were presented and information provided on implementing legislation adopted in May 2012, which strengthened legislative framework in the area of border policy.

Since EC representatives were interested in the blue border supervision, results achieved in that area were presented, with particular emphasis put on next five development stages concerning improvement of IT system and video surveillance, including both stationary and mobile systems for blue border supervision.

As regards post-visa liberalisation process, EC representatives recalled the importance of implementation of recommendations defined in the declaration that was adopted at the EU – Western Balkans Summit held in Tirana. They were also interested in the issue of Roma integration in the context of the false asylum seekers fleeing to EU countries.

Montenegro devotes particular attention to Roma integration and conducting quality asylum policy regarding both asylum seekers in Montenegro and false asylum seekers from Montenegro in the EU member states. According to the general assessment from the Summit in Tirana, Montenegro was not perceived as a problem but it was considered in the wider Western Balkan context. It was emphasised that Montenegro will take all necessary steps to prevent this problem and report to the EC once a month thereon, in accordance with the conclusions of the operational meeting held in Brussels on 12 November 2012 as a follow-up to the Summit in Tirana. Moreover, statistics were presented on the number of persons that have crossed the state border of Montenegro in 2012.

12. Fight against terrorism

Activities of Montenegro in the fight against terrorism were presented in the context of legislative, institutional and administrative framework as well as trainings organised in this area. Particular emphasis was put on cooperation developed with UNODC and OSCE experts who will assist in drafting policy papers, particularly as regards approximation of the Montenegrin legal system to the EU *acquis*.

EC representatives were interested whether Montenegro has developed cooperation with the countries in the region in this area and what was the information on the level of radicalism threat in Montenegro. Representative of the Montenegrin delegation informed that cooperation has been maintained on daily basis through the NCB Interpol as well as that there is one person exclusively dealing with terrorism issues. It was informed that, two years ago, Montenegro had joined the Memorandum on Cooperation signed by the South Eastern European countries and a number of the Central European countries (Austria, Czech Republic and Slovak Republic) concerning timely provision of information on persons moving across the territories of the signatory countries who could be mutually connected. Level of radicalism threat is very low due to small territory and small localities in Montenegro that do not represent a safe basis for organising and acting.

13. Any other business, concluding remarks

In concluding remarks, an overview of the two-day Sub-committee meeting was made, and the Montenegrin delegation emphasised that assessments, recommendations and statements made by the EC will be taken into consideration when developing further plans in the next period.

EC concluded that there has been some progress made in implementation of assumed obligations compared to the second Sub-committee meeting, but that there are some activities still under implementation, such as adoption of amendments to the Constitution.

It was jointly concluded that obligations assumed in this meeting, regarding submission of written contributions, should be met in a timely manner, whereas implementation of already defined obligations should be continued according to the proposed dynamics.

For the Government of Montenegro

For the European Commission
